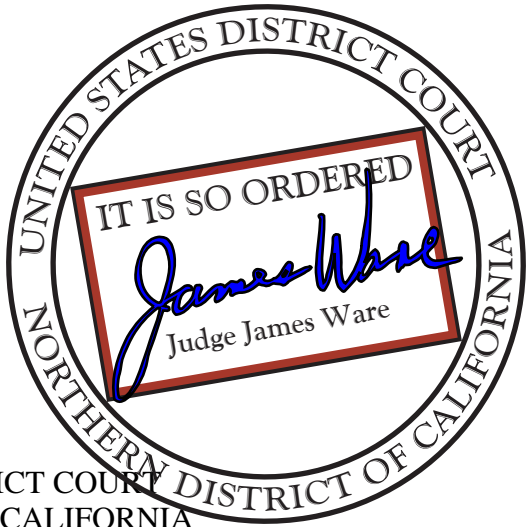


[List of Counsel Appears Below]



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA, a California corporation,

Plaintiff,

v.

MICRO THERAPEUTICS, INC., a Delaware  
corporation, DENDRON GmbH, a German  
corporation, and ev3 Inc., a Delaware corporation,

Defendants and Counterclaim  
And Third Party Plaintiffs,

v.

BOSTON SCIENTIFIC CORPORATION, a  
Delaware corporation, and TARGET  
THERAPEUTICS, INC., a Delaware corporation,

Third Party Defendants.

Case No. C-03-05669 JW (RS)

**STIPULATION OF DISMISSAL  
BETWEEN THE REGENTS OF THE  
UNIVERSITY OF CALIFORNIA, MTI,  
AND BOSTON SCIENTIFIC, AND  
[PROPOSED] ORDER**

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
MOUNTAIN VIEW

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii) and 41(c), Plaintiff and Counterclaim Defendant The Regents of the University of California (“The Regents”), Defendants, Counterclaim Plaintiffs, and Third Party Plaintiffs Micro Therapeutics, Inc., ev3 Inc., and Dendron GmbH (collectively “MTI”), and Third Party Defendants Boston Scientific Corporation and Target Therapeutics, Inc. (collectively “Boston Scientific”), by their undersigned counsel, hereby stipulate and agree to the following Stipulation of Dismissal (the “Dismissal Stipulation”):

1. This Court has jurisdiction over the parties to this Dismissal Stipulation and the subject matter of this action.

2. The Regents owns U.S. Patent Nos. 5,122,136; 5,354,295; 5,540,680; 5,855,578; 5,895,385; 5,925,037; 5,976,126; 5,947,962; 5,947,963; 6,083,220, 6,010,498; and 6,066,133 (collectively the “patents-in-suit”). Boston Scientific is the exclusive licensee of the patents-in-suit.

3. MTI hereby agrees that the patents-in-suit are in all respects valid and enforceable and further agrees that it will not challenge the validity or enforceability of the patents-in-suit. The parties agree that MTI makes no admission of infringement as to any claim made by The Regents.

4. The above-entitled action, including all claims and counterclaims, shall be dismissed in its entirety, with prejudice.

5. The Regents and MTI respectfully request that the Court expressly retain jurisdiction over The Regents and MTI for the purposes of enforcing the settlement agreement between them executed on March 21, 2008 (“the Settlement Agreement”). The parties hereto waive all right to appeal from this Stipulation and dismissal.

6. Each party shall bear its own costs and attorneys’ fees.

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**IT IS SO STIPULATED.**

Consent to the entry of the foregoing dismissal is hereby acknowledged.

DATED: April 4, 2008

By: /s/ Michelle M. Umberger

Michelle M. Umberger

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Attorneys for Defendants/Counterclaimants and  
Third Party Plaintiffs

MICRO THERAPEUTICS, INC.,

DENDRON GmbH, and ev3 INC.

DATED: April 4, 2008

By: /s/ Patrick E. Premo

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Attorneys for Plaintiff/Counter-defendant

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA

1 DATED: April 4, 2008

By: /s/ Patrick S. Thompson

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Patrick S. Thompson

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Attorneys for Third Party Defendants  
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THERAPEUTICS, INC.

10 **ORDER**

11 **PURSUANT TO STIPULATION, IT IS SO ORDERED AND ADJUDGED THAT** the above-  
12 captioned action, including all claims and counterclaims, is hereby dismissed in its entirety, on  
13 the merits, with prejudice and without costs to any party.

14 This Court shall retain personal and exclusive jurisdiction over The Regents and MTI for  
15 the limited purpose of enforcing or interpreting any portion of the Settlement Agreement between  
16 The Regents and MTI. Said jurisdiction may be invoked by or against any party hereto by filing a  
17 limited request to re-open Case No. C-03-05669 JW (RS), which request shall specifically identify  
18 the Settlement Agreement provision in question and the nature of the dispute or disagreement.

19 In light of this Order, the Status Conference presently scheduled for April 7, 2008 is  
VACATED. The Clerk shall close this file.

20 Dated: April 4, 2008

  
The Honorable James Ware  
United States District Judge

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